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December 20, 2024

VIA ECF

Hon. Ronnie Abrams
United States District Judge
United States District Court
Southern District New York
40 Foley Square, Room 2203
New York, New York 10007

Application granted.

SO ORDERED.

Hon. Ronnie Abrams
December 23, 2024

Re: Mesa Irrevocable Trust v. TVPX ARS Inc. et al
Case No.: 24 -cv- 06960 (RA)

Dear Judge Abrams:

We represent Defendant TVPX ARS Inc. ("TVPX") in the above-referenced matter and write jointly with counsel for Defendants Life Opportunity Fund I, LP ("LOF I") and Life Opportunity Fund II, LP ("LOF II") (together, the "LOF Entities") and Plaintiff Mesa Irrevocable Trust, Justin Cox, Special Trustee ("Mesa Trust").

Today, December 20, 2024, TVPX and the LOF Entities (collectively, "Defendants") will be filing motions to dismiss the Complaint, including the claim for alleged violation of Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") and Rule 10b-5 promulgated thereunder. The automatic stay provisions of the Private Securities Litigation Reform Act of 1995 ("PSLRA"), mandate a stay of discovery in actions brought under the Exchange Act pending the resolution of defendants' dispositive motions. 15 U.S.C. §§ 77z-1(b)(1), 78u-4(b)(3)(b). In light of the automatic stay provisions of the PSLRA, the Defendants and Mesa Trust jointly move for: (1) an adjournment of the January 9, 2025 initial status conference before the Court *sine die*, pending the Court's resolution of Defendants' motions to dismiss; (2) an extension of the time for the parties to submit a joint letter and proposed case management plan and scheduling order from January 3, 2025 to 21 days after the Court resolves the motions; and (3) approval of the following briefing schedule for the motions to dismiss:

- any opposing or response papers to the motions to be served by Plaintiff on or before January 20, 2025, and
- any reply papers to be served by Defendants on or before February 3, 2025.

This is the second request for an adjournment of the initial status conference and extension of the time to submit a joint letter and proposed case management plan; the prior request having been made and granted prior to Defendants' stated intention to file dispositive motions. *See* ECF Dkt 24 (November 14, 2024 Memo Endorsed Order).

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We thank the Court in advance for any consideration this request may be given.

Respectfully submitted,

GOLDBERG SEGALLA LLP

/s/ Joanne J. Romero

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JJR:

cc: All counsel of record (via ECF)